

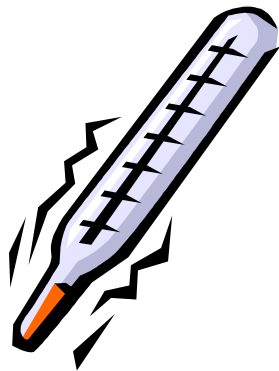
# Significant Changes & Issues in the State Food Code

## Wisconsin Food Code Fact Sheet #4

### Temperatures:

- 1) Cooling temperatures will have a maximum of 6 hours using a two step process. For the most part, potentially hazardous foods must be cooled from 140° F to 70° F within two (2) hours and from 70° F to 41° F or below within an additional four (4) hours.

**Exceptions:** Potentially hazardous foods made from ingredients at ambient temperature or foods received at temperatures above 41° F (i.e. milk, etc.) during shipment, must be cooled to 41° F or below within 4 hours. Shell eggs need not



comply with this requirement if the eggs are placed immediately upon delivery into a refrigeration unit that is capable of maintaining food at 41° F. Section (3-501.14).

- 2) Cooking temperatures for eggs, fish, meat and pork is 145° F for at least 15 seconds unless injected or comminuted (**comminuted is food items that are: chopped, flaked, ground or minced such as; ground beef, sausage and gyros**) then a cook temperature of 155° F is required and 165° F cooking temperature for stuffed meat, fish or poultry. Whole beef, pork and cured pork roasts shall be cooked as specified in the food code cooking chart Section #-401.11.

### Exceptions:

- Raw and undercooked whole muscle beef may be served in a ready to eat form if the beef meets the definition of whole muscle, intact beef, the customer is not from a highly susceptible population and the outside surfaces of the beef are cooked to at least 145° F with a cooked color change on the exterior surfaces.
  - Raw animal foods other than whole muscle beef may be served if the establishment does not serve a group of highly susceptible people and the customer is informed, the customer is not from a highly susceptible population and the Department has granted a variance based on a HACCP plan. Section (3-401.11).
- 3) Microwave cooking temperatures for raw animal foods must be to a temperature of 165° F in all parts of the food, allowed to stand for 2 minutes after cooking, covered to retain heat and stirred or rotated during cooking for even distribution of heat. Section (3-401.12).
  - 4) Hot hold temperatures are 140° F or above for all foods including fruits and vegetables that are cooked for hot holding. Foods must be cooked to 140° F or above before placing items in a hot holding unit as specified in 3-401.11. Section (3-501.16 (A)) & (3-401.13).

### Demonstration Of Knowledge:

Requires permit holder or person in charge to demonstrate to the regulatory authority,

upon request, knowledge of foodborne disease prevention as it relates to their specific food processes and general food code requirements. Section (2-102.11).

### **Employee Health:**

Workers must be excluded or restricted from food preparation and service based on the signs and symptoms or a physician's diagnosis of an illness that can be transmitted through food. Section (2-201.11).

### **Date Marking:**

Ready to eat potentially hazardous food held for more than 24 hours in an establishment must be labeled with time and date of use or preparation. This is to be used as an internal quality control system and not to be used as a consumer expiration date.

Refrigerated food items prepared in advance must be discarded after seven (7) days if held at 41° F or less.

Food items which are prepared, frozen, and thawed must be controlled by date marking to ensure that the item is consumed within a total of seven (7) days held at refrigeration temperatures (freezer time minus days held at refrigerated temperature). Section (3-501.17).

### **Time As Public Health Control:**

Potentially hazardous food may be stored at room temperature for no more than four (4) hours and then discarded or cooked for immediate service. The establishment must have approval from the regulatory authority with written procedures in place to indicate how the food items will be identified and discarded after 4 hours.



Establishments serving highly susceptible populations will not be able to use time as a public health control. Section (3-501.19).

### **Bare Hand Prohibition:**

Bare hand contact with ready-to-eat foods is prohibited unless otherwise approved by the regulatory authority. Deli paper, tongs or other suitable utensils may be used to handle ready-to-eat foods. Section (3-301.11(B)).

### **Variances:**

A variance must be obtained from the Department before doing any of the following: smoking food as a method of preservation, curing food, brewing alcoholic beverages, using food additives or adding components such as vinegar as a method of preservation or to render a food so it is not potentially hazardous, reduced oxygen packaging, or preparing food by methods that are determined by the department to require a variance. Section (3-502.11).

### **Consumer Information:**

Permit holder must inform consumers that the consumption of raw or undercooked food items on the menu may pose a health risk to highly susceptible people. Highly susceptible people are: the elderly, children under the age of four, pregnant women and immuno-compromised individuals.

Examples of consumer notification are: the use of brochures, deli case or menu advisories, labels, table tents, placards or other effective written materials that inform the consumer of an increased risk associated with consuming certain animal foods that may be served raw, undercooked or otherwise not processed to eliminate pathogens. Section (3-603.11)

### **Warewash Sinks:**

The number of warewash sinks to manually wash utensils and equipment has been reduced from 4 to 3.

*Exception:* An additional sink for pre-cleaning may be required if the facility demonstrates its inability to effectively clean equipment and utensils. Section (4-301.12)

### **Food Preparation Sink:**

In all new facilities and in existing facilities when there is a change of ownership, a separate food preparation sink is required. The regulatory authority may allow the facility to use the sanitizer sink of the warewash sink for food preparation if the operator demonstrates that there is insufficient space for a food preparation sink. A variance must be obtained from COMM to have the sanitizer sink air gapped. Section (4-301.13m)

### **Food Manager Certification:**

Food Manager Certification applies to all establishments that sell a meal as defined in 1-102.10(B)(46m) of the food code, whether the license is issued under ATCP 75 or HFS 196.

Reciprocity is granted to persons certified out of state through a certification exam approved by the Council on Food Protection Practices. Persons certified out of state must provide evidence to the Department that they have successfully completed a certification exam recognized by the Council on Food Protection Practices.

### **Temporary Food Establishments:**

ATCP 75 Retail Food Stores: This chapter applies to food establishments that do not require a service base of operation. This may include either a mobile type or a knockdown

type of food establishment. The policy for licensing a “traveling” type of food establishment will remain the same: If a food establishment ONLY operates within the jurisdiction of an agent health department, the agent will license the food establishment. BUT if the “traveling” type food establishment operates in various locations throughout Wisconsin, the food establishment will be licensed by DATCP.

### **Mobile Food Establishments:**

ATCP 75 Retail Food Stores: This chapter applies to the food establishments that require a service base of operation. Requirements for a service base are spelled out in 9-103.11 of the Wisconsin Food Code. Pushcarts licensed by DATCP will fall into this chapter.



### **Public Toilets:**

All public toilet rooms at new or substantially remodeled food establishments shall be readily available to patrons of the food establishment. No public toilet rooms are to be located so that the patrons must walk or pass through food preparation, processing, serving or storage areas or an area where utensils are washed. Section (8-201.13).